

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

ORIGINAL

4:07-CR-098-Y

UNITED STATES OF AMERICA

VS

GEORGE CLIFTON HENTHORN (1), defendant

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

FILED

ORDER SETTING SCHEDULE FOR SENTENCING
(REVISED APRIL 2007)¹

AUG - 1 2007

CLERK, U.S. DISTRICT COURT

By _____
Deputy

The Court ORDERS that:

1. The probation officer conduct a presentence investigation and prepare a presentence report.
2. Counsel for the defendant, be present at the initial interview between the defendant and the probation officer (with recent familiarity with U.S.S.G. § 3E1.1, application note 1(a)) and, within three government working days from the date this order is filed, schedule the interview with the probation officer assigned to prepare the presentence report.
3. Counsel for United States of America, within five government working days of the defendant's conviction, deliver to the probation officer a written report setting out with specificity:
 - a. all information possessed by the office of the United States Attorney for the Northern District of Texas that is relevant to (i) the sentencing of the defendant or (ii) the acceptability of the plea agreement, if any, including, but not limited to:
 - (1) all criminal history of the defendant;
 - (2) all criminal conduct of the defendant (whether or not charged) occurring at any time;
 - (3) all statements made by the defendant (including transcripts that already have been made of recorded statements) and all other notes, memos, or other writings pertaining to any statement made by the defendant;

¹ Latest revision is to paragraph 2 which is shaded.

- (4) all investigative reports pertaining to the offense of conviction and to relevant conduct; and
- b. if the defendant was convicted after trial, a written summary of any evidence presented at trial not cumulative of the information provided pursuant to 3.a., above, and which is relevant to the sentencing of the defendant including especially, but not limited to, evidence that the defendant obstructed justice and evidence of relevant conduct; and
- c. in any case in which restitution can be ordered under 18 U.S.C. § 3663 or 18 U.S.C. § 3663A as a result of the defendant's criminal conduct, to the extent known to the government, the full names of all identified victims of defendant's criminal conduct for which restitution can be ordered, the amount of loss subject to restitution for each identified victim, each identified victim's complete address, and each identified victim's telephone number.

provided, however, that all information provided to the probation officer pursuant to this paragraph is confidential and for the exclusive use of that office and this Court.

4. The probation officer deliver the presentence report to the Court, and provide copies to the defendant and counsel for the parties, no later than **September 19, 2007**.

5. Written objections to the presentence report in the form illustrated in Exhibit A attached hereto, or written notice of no objections, be delivered to the Court, the probation officer, and counsel for the parties no later than **October 3, 2007**.

6. Each party deliver to the Court, the probation officer, and counsel for the parties a written response to the opposing party's objections to the presentence report no later than **October 10, 2007**.

7. If written objections to the presentence report have been timely delivered, the probation officer deliver an addendum to the presentence report to the Court, and provide copies thereof to defendant and counsel for the parties, no later than **October 17, 2007**.

8. Each party deliver to the Court, the probation officer, and counsel for the parties **no later than October 17, 2007**, any other item the party wishes the Court to consider in connection with sentencing, including sentencing memoranda and character letters. All characters letters written in a **foreign language** must be translated into English prior to submission to the Court.

9. Any motion for upward or downward departure be filed with the district clerk, a copy of the motion be delivered to chambers, and a copy be delivered to the probation officer no later than **October 24, 2007**. Such a motion and any response thereto may be filed under seal without being accompanied by a motion to seal so long as the motion for departure (or the response thereto) contains in its title the notation, "UNDER SEAL PURSUANT TO SCHEDULING ORDER DATED _____."

10. Any party served with a motion for upward or downward departure file a response with the district clerk, a copy of the response to be delivered to chambers, and a copy be delivered to the probation officer and opposing counsel no later than **October 31, 2007**.

11. The probation officer deliver to the Court a sentencing recommendation no later than **November 6, 2007**.

12. The sentencing hearing is set for **November 19, 10:30a.m.**

13. The parties be prepared at the sentencing hearing to present evidence, arguments, and legal authorities related to any factual or legal issues that are raised by the presentence report or any addendum thereto or any objection to either.

14. All motions and responses to motions any party wishes the Court to consider in connection with any sentencing matter be filed with the Clerk. If a party desires the sealing of any such motion or response, the heading of the instrument must state that the document is being filed "under seal" and, except as set out in numbered paragraph 9, above, be accompanied by a motion to seal.

Signed August 1, 2007.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE

TRM/ja

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA §
§
VS. § CRIMINAL NO. 4:00-CR-000-Y
§
JOHN DOE (1) §

OBJECTIONS TO PRESENTENCE INVESTIGATION REPORT

TO THE HONORABLE TERRY R. MEANS, UNITED STATES DISTRICT JUDGE:

COMES NOW, JOHN DOE, defendant, by and through his attorney of record Jane Doe, and hereby submits these written objections to the presentence investigation report (PSR) dated January 3, 1994, as prepared by U.S. Probation Officer, Don Smith, and shows as follows:

OBJECTION NO. 1:

Defendant objects to paragraph 10 on page 3 of the PSR because

OBJECTION NO. 2:

Defendant objects to paragraph 25 on page 7 of the PSR because

WHEREFORE, Defendant respectfully submits these written objections to presentence investigation report and requests the Court to sustain the objections and to grant such other and further relief as may be warranted.

Respectfully submitted,

/s Jane Doe
Jane Doe
State Bar No. 00000000
FIRM NAME
ADDRESS
TELEPHONE NUMBER
FACSIMILE NUMBER

Attorney for John Doe

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing Defendant's Written Objections to Presentence Investigation Report have been served upon the Assistant U.S. Attorney and U.S. Probation Officer on this the _____ day of _____, 2002.

s/Jane Doe

Jane Doe